

FILED
JAMES BONINI
CLERK

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

04 APR -5 PM 3:38

ESTATE OF ROGER D. OWENSBY,

*

CASE NO. C-1-01-769

Plaintiff

(Judge S. Arthur Spiegel)

vs.

*

CITY OF CINCINNATI, et al.

NOTICE OF APPEAL

Defendants.

*

Notice is given that Defendants City of Cincinnati and Police Chief Thomas Striecher, Jr. appeal to the United States Court of Appeals for the Sixth Circuit from the Order (denying the Defendants' motion for summary judgment on Plaintiffs' pendant and ancillary state tort claims) of the United States District Court for the Southern District of Ohio entered in this case on March 25, 2004, Docket #113.

Respectfully submitted,

J. Rita McNeil (#0043535)
City Solicitor

Neil F. Freund (0064023)
for Neil F. Freund (0012183)
Trial Attorney
Vaseem S. Hadi (0075617)
FREUND, FREEZE & ARNOLD
One Dayton Centre
1 South Main Street, Suite 1800
Dayton, OH 45402-2017
(937) 222-2424
(937) 222-5369 (fax)
nfreund@ffalaw.com
vhadi@ffalaw.com

Geri Hernandez Geiler (0042081)
Sr. Assistant City Solicitor
Julie F. Bissinger (0012055)
Chief Counsel
City Solicitor's Office
Room 214, City Hall
801 Plum Street

Cincinnati, OH 45202
(513) 352-3338
(513) 352-1515 (fax)
geri.geiler@cincinnati-oh.gov
julie.bissinger@cincinnati-oh.gov

PROOF OF SERVICE

This will certify that a copy of the foregoing was served upon counsel of record by email this 5th day of April, 2004:

Mark T. Tillar (0029898)
240 Clark Road
Cincinnati, OH 45202
(513) 761-2958
Attorney for Plaintiff

John Helbling (0046727)
3672 Springdale Road
Cincinnati, OH 45251
513-923-9740
Attorney for Plaintiff

Paul B. Martins
HELMER, MARTINS & MORGAN CO.
Fourth & Walnut Centre, Suite 1800
105 East 4th Street Cincinnati, Ohio 45202-4008
(513) 421-7902
Attorney for Plaintiff

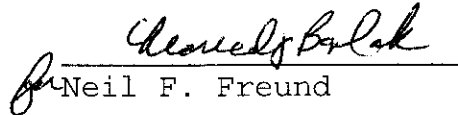
Donald E. Hardin (0022095)
HARDIN, LEFTON, LAZARUS &
MARKS, LLC
915 Cincinnati Club Building
30 Garfield Place
Cincinnati, OH 45202
513-721-7300
Special Counsel for Defendants
Robert Blaine Jorg, Patrick Caton,
Darren Sellers, Jason Hodge, and
Victor Spellman

Wilson G. Weisenfelder, Jr. (0030179)
RENDIGS, FRY, KIELY & DENNIS, LLP
900 Fourth & Vine Tower
Cincinnati, OH 45202
513-381-9200
Attorney for Defendants

Village of Golf Manor,

Chief Stephen Tilley,
Officer Robert Heiland, and
John Doe #7 nka Chris Campbell

Ravert J. Clark
114 East 8th Street
Suite 400
Cincinnati, OH 45202
(513) 587-2887
Attorney for Defendant
Cincinnati Police Officer
David Hunter


Neil F. Freund